



Washington State Department of Agriculture News Release

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Contact: Jason Kelly (360) 902-1815

WASHINGTON STATE DEPARTMENT OF AGRICULTURE

P.O. Box 42560, Olympia, Washington 98504-2560

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New Cottage Food rules available for review, comment

OLYMPIA – Jelly producers across the state applauded last year when the Legislature adopted the Cottage Food Act. The law legalizes the sale of low-risk foods made in the home, allowing potentially hundreds of new small businesses into farmers markets and other direct-sales venues.

Up to this point, all foods intended for sale to the public were produced in licensed commercial kitchens. This requirement was seen as a barrier to some small businesses, especially in rural areas where commercial kitchens were not available for rent.

Since the law was passed, 250 home-based businesses have expressed interest in applying for a Cottage Foods license. The Washington State Department of Agriculture (WSDA) estimates that more than 1,000 Washington businesses may eventually apply for the license. Oregon, which enacted a similar law, has around 800 licensed cottage food operations.

“The interest in this new license has been astounding,” said WSDA’s Kirk Robinson, assistant director for food safety and consumer services. “Working with our applicants, we’ve developed a common-sense approach in helping these new home-based food businesses open their doors, while protecting the public from food-borne illness. We’re excited about working with these new operations.”

WSDA spent several months meeting with interested bakers and others to write the rule necessary to implement the law. The [draft rule](#), now available for review, stipulates which foods may be produced, the required licenses and inspections, as well as labeling requirements.

Products allowed for sale under the draft rule include: breads, cakes, cookies, granola, nuts, jams and jellies, and other low-risk products. All recipes should have a cook step to prevent the spread of food-borne illness or be made from shelf-stable ingredients.

Prohibited products include: meat jerkies, poultry, seafood, canned or processed fruits and vegetables, fresh juices, pickles, dairy products and other higher-risk foods.

Under the law, gross sales of cottage food products may not exceed \$15,000 per year. Only direct sales to consumers are allowed; mail order or internet sales are not permitted.

Cottage food operations will be inspected annually by WSDA. Operators must have a food worker card from the local health department, a requirement typical for restaurant workers. Homes not on a public water supply must test their water for bacterial contamination. Costs to the business to meet all requirements should range from \$230 to \$290 per year.

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Operations must implement acceptable sanitary standards. Food contact surfaces and floors must be smooth and easily cleanable. Pets and children under 6 must be excluded from the kitchen when food is being prepared.

Written comments on the draft rule can be submitted to jcarlson@agr.wa.gov. WSDA will conduct a public hearing at 1 p.m. on May 22 in Room 172, [Natural Resources Building](#), 1111 Washington St. SE, Olympia.

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